

REMARKS

This paper responds to the Office Action dated on March 23, 2005.

Claims 1-3, 5, 8, 10, 14, 15, 16, 19, 24, 26, 28, 30, 31 and 36 are amended. Claims 1-36 remain pending in this application.

The allowed claims 10 and 14 are amended only for clarity.

§112 Rejection of the Claims

Claim 3 was rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Applicant respectfully traverses. Claim 3 is amended only to correct the dependency of claim 3.

Reservation of the Right to Swear Behind References

Applicant maintains the right to swear behind any references which are cited in a rejection under 35 U.S.C. §§102(a), 102(e), 103/102(a), and 103/102(e). Statements distinguishing the claimed subject matter over the cited references are not to be interpreted as admissions that the references are prior art.

§103 Rejection of the Claims

Claims 1, 5-7, 15, 19-25, 27-29, and 31-36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ooishi (U.S. Patent No. 6,421,789) in view of Matsuzaki (U.S. Patent No. 6,476,653).

Independent claim 1 is amended and recites, among other things, "a plurality of measuring delay elements connected to the input node for delaying the external signal during a measurement to produce a measured delay, wherein the measurement is set to last for at least one cycle time of the external signal". Applicant is unable to find in Ooishi and Matsuzaki, either individually or in combination, "a plurality of measuring delay elements connected to the input node for delaying the external signal during a measurement to produce a measured delay, wherein the measurement is set to last for at least one cycle time of the external signal". Accordingly, Applicant requests reconsideration and withdrawal of the rejection, and allowance of claim 1.

Independent claim 5 is amended and recites, among other things, "a measuring unit located on a first path for generating a measured delay based on at least one measurement on timing of the external signal on the first path, wherein the measurement is set to last for at least one cycle time of the external signal". Applicant is unable to find in Ooishi and Matsuzaki, either individually or in combination, "a measuring unit located on a first path for generating a measured delay based on at least one measurement on timing of the external signal on the first path, wherein the measurement is set to last for at least one cycle time of the external signal". Accordingly, Applicant requests reconsideration and withdrawal of the rejection, and allowance of claim 5 and its dependent claims 6 and 7.

Independent claim 15 is amended and recites, among other things, "a plurality of measuring delay elements connected to the input node for delaying the external signal during a measurement to produce a measured delay, wherein the measurement is set to last for at least one cycle time of the external signal". Applicant is unable to find in Ooishi and Matsuzaki, either individually or in combination, "a plurality of measuring delay elements connected to the input node for delaying the external signal during a measurement to produce a measured delay, wherein the measurement is set to last for at least one cycle time of the external signal". Accordingly, Applicant requests reconsideration and withdrawal of the rejection, and allowance of claim 15.

Independent claim 19 is amended and recites, among other things, "performing a number of measurements on the first signal path to obtain a reference time based on a cycle time of the external signal, wherein a time interval between consecutive measurements among the number of measurements is unequal to the cycle time of the external signal, and wherein at least one of the measurements lasts for at least one cycle time of the external signal". Applicant is unable to find in Ooishi and Matsuzaki, either individually or in combination, "performing a number of measurements on the first signal path to obtain a reference time based on a cycle time of the external signal, wherein a time interval between consecutive measurements among the number of measurements is unequal to the cycle time of the external signal, and wherein at least one of the measurements lasts for at least one cycle time of the external signal". Accordingly, Applicant requests reconsideration and withdrawal of the rejection, and allowance of claim 19 and its dependent claims 20-23.

Independent claim 24 is amended and recites, among other things, "acquiring a measured delay by performing a first measurement on the measuring path, wherein the first measurement lasts for at least one cycle time of the external signal". Applicant is unable to find in Ooishi and Matsuzaki, either individually or in combination, "acquiring a measured delay by performing a first measurement on the measuring path, wherein the first measurement lasts for at least one cycle time of the external signal". Accordingly, Applicant requests reconsideration and withdrawal of the rejection, and allowance of claim 24 and its dependent claims 25 and 27.

Independent claim 28 is amended and recites, among other things, "periodically performing a measurement at a measuring frequency on the measuring path to synchronize the external and internal signals, wherein a frequency of the external signal is greater than the measuring frequency, wherein the measurement lasts for at least one cycle time of the external signal". Applicant is unable to find in Ooishi and Matsuzaki, either individually or in combination, "periodically performing a measurement at a measuring frequency on the measuring path to synchronize the external and internal signals, wherein a frequency of the external signal is greater than the measuring frequency, wherein the measurement lasts for at least one cycle time of the external signal". Accordingly, Applicant requests reconsideration and withdrawal of the rejection, and allowance of claim 28 and its dependent claim 29.

Independent claim 31 is amended and recites, among other things, "performing a first measurement on the first signal path to acquire a measured delay, wherein the first measurement lasts for at least one cycle time of the external signal". Applicant is unable to find in Ooishi and Matsuzaki, either individually or in combination, "performing a first measurement on the first signal path to acquire a measured delay, wherein the first measurement lasts for at least one cycle time of the external signal". Accordingly, Applicant requests reconsideration and withdrawal of the rejection, and allowance of claim 31 and its dependent claims 32-36.

Allowable Subject Matter

Applicant acknowledges the allowance of claims 10-14.

Claims 2, 4, 8, 16-18, 26, and 30 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2, 4, 8, 16-18, 26, and 30 are selectively rewritten in independent form. The rewriting does not alter the scope of claims 2, 4, 8, 16-18, 26, and 30. Thus, claims 2, 4, 8, 16-18, 26, and 30 are now in condition for allowance.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6969 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.


Respectfully submitted,

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By their Representatives,

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Date 25 July 2005

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 25 day of July, 2005.

Tina Kohut
Name


Signature